IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1375 OF 2007

Naik Charitable Trust's Dynandeep Madhyamik Ashram School .. Petitioner

Versus

Dattatraya Suryabhan Chavan and Ors. .. Respondents

Mr.C.R.Sonawane for petitioner
Mr.G.M.Savagave for respondent Nos. 1 and 2
Ms.A.S.Baxi for respondent Nos 3 and 4
Mr.Pramod Patil for respondent No.6

CORAM : S.C.DHARMADHIKARI, J.

DATE : 17th December 2007

P.C.

. Since the issues that are being raised before me touch legality and validity of the decree, the executing court was right in refusing to entertain objections in that behalf. At this

stage, Mr.Sonawane, seeks leave to withdraw the petition with liberty to file appeal challenging the subject decree. Leave granted. Petition dismissed as withdrawn with liberty as above. Needless to state that all contentions not only with regard to the merits but also on the plea of limitation are kept open. Ad-interim order granted on 26th March 2007 to continue for a period of four weeks.

(S.C.Dharmadhikari, J)